

1 The Honorable Robert S. Lasnik  
2  
3  
4  
5  
6  
7  
8

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9  
10 IN RE CTI BIOPHARMA CORP.  
11 SECURITIES LITIGATION  
12  
13

Case No. 2:16-cv-00216-RSL

**CLASS ACTION**

14  
15 **ORDER APPROVING PLAN OF ALLOCATION**

16 This matter came on for hearing on February 1, 2018 (the “Settlement Hearing”) on Lead  
17 Plaintiff’s motion to determine whether the proposed plan of allocation of the Net Settlement  
18 Fund (“Plan of Allocation”) created by the Settlement achieved in the above-captioned class  
19 action (the “Action”) should be approved. The Court having considered all matters submitted to  
20 it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing  
21 substantially in the form approved by the Court was mailed to all Settlement Class Members who  
22 or which could be identified with reasonable effort, and that a summary notice of the hearing  
23 substantially in the form approved by the Court was published in *Investor’s Business Daily* and  
24 was transmitted over the *PR Newswire* pursuant to the specifications of the Court; and the Court  
25 having considered and determined the fairness and reasonableness of the proposed Plan of  
26 Allocation,

1 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

2 1. This Order approving the proposed Plan of Allocation incorporates by reference  
3 the definitions in the Stipulation and Agreement of Settlement dated September 15, 2017 (ECF  
4 No. 106-2) (the “Stipulation”) and all terms not otherwise defined herein shall have the same  
5 meanings as set forth in the Stipulation.

6 2. The Court has jurisdiction to enter this Order approving the proposed Plan of  
7 Allocation, and over the subject matter of the Action and all parties to the Action, including all  
8 Settlement Class Members.

9 3. Notice of Lead Plaintiff’s motion for approval of the proposed Plan of Allocation  
10 was given to all Settlement Class Members who could be identified with reasonable effort. The  
11 form and method of notifying the Settlement Class of the motion for approval of the proposed  
12 Plan of Allocation satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure,  
13 the Private Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)), due process, and  
14 all other applicable law and rules, constituted the best notice practicable under the circumstances,  
15 and constituted due and sufficient notice to all persons and entities entitled thereto.

16 4. Copies of the Notice, which included the Plan of Allocation, were mailed to over  
17 21,000 potential Settlement Class Members and nominees and no objections to the Plan of  
18 Allocation have been received.

19 5. The Court hereby finds and concludes that the formula for the calculation of the  
20 claims of Claimants as set forth in the Plan of Allocation mailed to Settlement Class Members  
21 provides a fair and reasonable basis upon which to allocate the proceeds of the Net Settlement  
22 Fund among Settlement Class Members with due consideration having been given to  
23 administrative convenience and necessity.

24 6. The Court hereby finds and concludes that the Plan of Allocation is, in all  
25 respects, fair and reasonable to the Settlement Class. Accordingly, the Court hereby approves  
26 the Plan of Allocation proposed by Lead Plaintiff.

7. There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

Dated this 1st day of February, 2018.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge

ORDER APPROVING  
PLAN OF ALLOCATION  
(Case No. 2:16-cv-00216-RSL)